

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|                        |   |                             |
|------------------------|---|-----------------------------|
| MONEEKA SNEED,         | : |                             |
| Plaintiff,             | : |                             |
|                        | : |                             |
| v.                     | : | Civil No. 5:21-cv-04722-JMG |
|                        | : |                             |
| PATENAUDE & FELIX APC, | : |                             |
| Defendant.             | : |                             |

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**ORDER**

**AND NOW**, this 27<sup>th</sup> day of January, 2022, after careful consideration of Defendant's Motion to Dismiss (ECF Nos. 7–8), Plaintiff's Response in Opposition (ECF No. 9) and Defendant's Reply (ECF No. 10), it is hereby **ORDERED** as follows:

1. Defendant's Motion (ECF Nos. 7–8) is **GRANTED** and Plaintiff's Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE** for the reasons provided in the accompanying Memorandum Opinion.
2. Plaintiff may file an amended complaint within thirty (30) days of the date of this Order.
3. If Plaintiff does not wish to amend her Complaint and instead intends to stand on her Complaint as originally pled, she may file a notice with the Court within thirty (30) days of the date of this Order stating that intent, at which time the Court will issue a final order dismissing the case. Any such notice should be titled "Notice to Stand on Complaint," and shall include the civil action number for this case. *See Weber v. McGrogan*, 939 F.3d 232, 241 (3d Cir. 2019) ("If the plaintiff does not desire to amend, he may file an appropriate notice with the district court asserting his intent to stand on the complaint, at which time an order to dismiss the action

would be appropriate.” (internal quotation marks and citation omitted)).

4. If Plaintiff fails to file any response to this Order, the Court will conclude that Plaintiff intends to stand on her Complaint and will issue a final order dismissing this case. *See Weber*, 939 F.3d at 239–40 (explaining that a plaintiff’s intent to stand on her complaint may be inferred from inaction after issuance of an order directing her to take action to cure a defective complaint).

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge